



# HOUSE OF REPRESENTATIVES

HB 2337

regulation; deficiencies; opportunity to correct  
Prime Sponsor: Representative Norgaard, LD 18

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**DPA** Committee on Government and Higher Education

**DPA** Caucus and COW

**X** House Engrossed

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## OVERVIEW

HB 2337 requires the agency to provide the opportunity to correct deficiencies in an inspection or audit if the agency is unsure that the regulated person meets exemptions.

## PROVISIONS

1. Requires an agency to:
  - a. provide an opportunity to correct deficiencies if unsure that the regulated person meets the exemptions; and
  - b. document in writing specified deficiencies in the inspection report.
2. Requires *any* agency that prohibits a regulated person an opportunity to correct deficiencies to provide a detailed written explanation of the reason the opportunity to correct was not allowed.
3. Makes conforming changes.

## CURRENT LAW

An inspection report is required to contain deficiencies identified during an inspection. An agency must provide the regulated person an opportunity to correct the deficiencies unless the agency determines that the deficiencies are: 1) committed intentionally; 2) not correctable within a reasonable period of time; 3) evidence of a pattern of noncompliance; or 4) a risk to any person, public health, safety or welfare or the environment. If an agency allows the regulated person an opportunity to correct the deficiencies, the regulated person must notify the agency when the deficiencies have been corrected. Within 30 days the agency must determine if the regulated person is in substantial compliance and provide notification. If the agency determines the deficiencies have not be corrected within a reasonable period of time, the agency may take any authorized enforcement action ([A.R.S. § 41-1009](#)).